

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

IN RE BARD IVC FILTERS
PRODUCTS LIABILITY LITIGATION

No. MD-15-02641-PHX-DGC

**SECOND ~~THIRD~~ AMENDED SHORT
FORM COMPLAINT FOR DAMAGES
FOR INDIVIDUAL CLAIMS; AND
DEMAND FOR JURY TRIAL**

Plaintiff(s) named below, for their Complaint against Defendants named below,
incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc. 364).

Plaintiff(s) further show the Court as follows:

1. Plaintiff/Deceased Party:

Christopher Svedise

2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of
consortium claim:

Darlene Svedise

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian,
conservator):

N/A

4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence
at the time of implant:

California

5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence
at the time of injury:

California

6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

California

7. District Court and Division in which venue would be proper absent direct filing:

California Northern District Court

8. Defendants (check Defendants against whom Complaint is made):

☒ C.R. Bard Inc.

☒ Bard Peripheral Vascular, Inc.

9. Basis of Jurisdiction:

☒ Diversity of Citizenship

☐ Other: _____

a. Other allegations of jurisdiction and venue not expressed in Master Complaint:

10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a claim (Check applicable Inferior Vena Cava Filter(s)):

☐ Recovery[®] Vena Cava Filter

☐ G2[®] Vena Cava Filter

☒ G2[®] Express (G2[®]X) Vena Cava Filter

☐ Eclipse[®] Vena Cava Filter

☐ Meridian[®] Vena Cava Filter

☐ Denali[®] Vena Cava Filter

☐ Other: _____

11. Date of Implantation as to each product:

1/15/2010

12. Counts in the Master Complaint brought by Plaintiff(s):

☒ Count I: Strict Products Liability – Manufacturing Defect

☒ Count II: Strict Products Liability – Information Defect (Failure to Warn)

☒ Count III: Strict Products Liability – Design Defect

☒ Count IV: Negligence - Design

☒ Count V: Negligence - Manufacture

☒ Count VI: Negligence – Failure to Recall/Retrofit

☒ Count VII: Negligence – Failure to Warn

☒ Count VIII: Negligent Misrepresentation

☒ Count IX: Negligence *Per Se*

☒ Count X: Breach of Express Warranty

☒ Count XI: Breach of Implied Warranty

☒ Count XII: Fraudulent Misrepresentation

☒ Count XIII: Fraudulent Concealment

☒ Count XIV: Violations of Applicable [Georgia](#)[California](#) Law Prohibiting Consumer Fraud and Unfair and Deceptive Trade Practices

☒ Count XV: Loss of Consortium

☐ Count XVI: Wrongful Death

☐ Count XVII: Survival

☒ Punitive Damages

☒ Other(s): All claims for Relief set forth in the Master Complaint for an amount to be determined by the trier of fact including for the following: (please state the facts supporting this Count in the space immediately below)

On or about January 15, 2010, Mr. Svedise had a Bard G2 Express Filter installed into his inferior vena cava. On October 22, 2015, his device fractured and embolized in his pulmonary artery. As a result, ~~Mr. Svedise has~~ [The Svedises have](#) suffered damages in an amount to

1 be proven at trial.

2
3 13. Jury Trial demanded for all issues so triable?

4 ☒ Yes

5 ☐ No

6 RESPECTFULLY SUBMITTED this 30th day of May, 2016.

7 **GALLAGHER & KENNEDY, P.A.**

8
9 By: /s/ Paul L. Stoller

10 Robert W. Boatman

11 Mark S. O'Connor

12 Paul L. Stoller

13 Shannon L. Clark

14 C. Lincoln Combs

15 2575 East Camelback Road

16 Phoenix, Arizona 85016-9225

17 **LOPEZ McHUGH LLP**

18 Ramon Rossi Lopez (CA Bar No. 86361)

19 (Admitted pro hac vice)

20 100 Bayview Circle, Suite 5600

21 Newport Beach, California 92660

22 **HEAVISIDE REED ZAIC**

23 Julia Reed Zaic (FL Bar No. 0530336)

24 (Admitted pro hac vice)

25 312 Broadway, Ste. 203

26 Laguna Beach, CA 92660

27 *Attorneys for Plaintiffs*

28 **CERTIFICATE OF SERVICE**

 I hereby certify that on this 30th day of May, 2016, I electronically transmitted the
attached document to the Clerk's Office using the CM/ECF System for filing and
transmittal of a Notice of Electronic Filing.

/s/Deborah Yanazzo